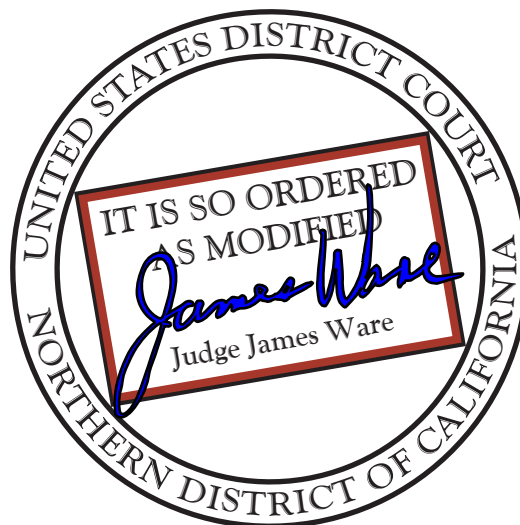


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Attorneys for Defendant



UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

GURMAIL S. BATH,
 Plaintiff
 v.
 JOHN E. POTTER, POSTMASTER
 GENERAL, UNITED STATES POSTAL
 SERVICE
 Defendant

Case No. C 07 03521 JW
 STIPULATED NOTICE OF
 SETTLEMENT AND REQUEST TO
 VACATE PTC AND PROPOSED ORDER
 TO SHOW CAUSE RE: SETTLEMENT

This case has settled in its entirety. A Stipulation and Agreement of Compromise and Settlement and [Proposed] Order has been drafted and approved by counsel and will be submitted to the Court within the next thirty days. Accordingly, the parties jointly request that the Pretrial Conference set for August 11, 2008, go off calendar.

JOSEPH P. RUSSONIELLO
 United States Attorney

DATED: July 30, 2008

/S/
 JAMES A. SCHARF
 Assistant U.S. Attorney
 Attorney for Defendant


1 *** ORDER ***

2 Pursuant to the parties' Stipulation above whereby the parties inform the Court that
3 the above-entitled matter has reached a settlement, the Court vacates all trial and pretrial dates.
4 On or before **September 5, 2008**, the parties shall file a stipulated dismissal pursuant to Federal
5 Rule of Civil Procedure 41(a).
6

7 If a dismissal is not filed by the specified date, all parties shall appear in Courtroom No.
8 8, 4th Floor, United States District Court, 280 South First Street, San Jose, CA on **September**
9 **15, 2008 at 9:00 a.m.** and to show cause, if any, why the case should not be dismissed pursuant
10 to Fed. R. Civ. P. 41(b). On or before **September 5, 2008**, the parties shall file a joint statement
11 in response to the Order to Show Cause. The joint statement shall set forth the status of the
12 activities of the parties for finalizing the settlement and how much additional time is requested to
13 finalize and file the dismissal. If a voluntary dismissal is filed as ordered, the Order to Show
14 Cause hearing will be automatically vacated.
15

16 Failure to comply with any part of this Order will be deemed sufficient grounds to
17 dismiss this action.
18

19 Dated: July 30, 2008

20 
21 JAMES WARE
22 United States District Judge
23
24
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